

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

**JANE DOE,**

**Plaintiff,**

**v.**

**THE UNIVERSITY OF VIRGINIA, et  
al.,**

**Defendants.**

**Case No. 3:23-cv-00018-RSB**

**JOINT MOTION TO EXTEND SCHEDULING ORDER DEADLINES**

Plaintiff Jane Doe and Defendant Rector and Visitors of the University of Virginia (“University”), by and through counsel, respectfully jointly move this Court to enter an order extending the parties’ deadlines and the trial date set out in this Court’s Scheduling Order of September 27, 2023 (ECF No. 30).

The parties jointly request an extension of their discovery deadlines and a continuance of the trial date while a decision on the University’s motion to dismiss the amended complaint is pending. Good cause exists to extend these deadlines and the trial date because the parties wish to avoid unnecessary expenses associated with conducting discovery and disclosing experts before the Court issues its ruling on the motion to dismiss.

**MEMORANDUM IN SUPPORT**

1. This Title IX action was filed on April 29, 2023. ECF No. 1.
2. Plaintiff alleges that the University was deliberately indifferent to her being sexually harassed by a University professor.

3. Defendant moved to dismiss Plaintiff's amended complaint pursuant to Rule 12(b)(6) on August 30, 2023. ECF No. 22.

4. On September 27, 2023, this Court entered a scheduling order setting a trial date of October 1-3, 2024 and other pre-trial deadlines. ECF No. 30.

5. In their report of Rule 26(f) Conference and Discovery Plan (ECF No. 32), the parties agreed to modify the Scheduling Order so that the Parties will make their Rule 26(a) initial disclosures within fourteen days of the Court issuing a decision on the motion to dismiss.

6. This Court heard oral argument on the University's Motion to Dismiss the Amended Complaint pursuant to Rule 12(b)(6) on November 3, 2023.

7. The Court has not yet issued a decision on the motion to dismiss.

8. In compliance with their Discovery Plan, the parties have not made their Rule 26(a) initial disclosures.

9. Pursuant to the scheduling order (ECF No. 30), the following deadlines are approaching:

- a. Plaintiff's expert disclosures are due by April 4, 2024.
- b. The University's expert disclosures are due by May 3, 2024.
- c. The parties' joint status report regarding the parties' progress in discovery is due by April 4, 2024.
- d. Discovery must be completed by July 3, 2024.

10. The parties, through counsel, have conferred regarding the approaching discovery deadlines and agree that their clients' interests are best served by delaying the costs and burdens of discovery, including making initial disclosures and expert disclosures, until they receive a decision on the pending motion to dismiss.

11. Therefore, pursuant to F.R.C.P. 16(b)(4) good cause exists to modify the scheduling order.

12. The parties jointly request an extension of all dates in the scheduling order and a continuance of the trial date. The parties propose that once the Court issues a ruling on the motion to dismiss, a new trial date will be set along with new deadlines.

WHEREFORE, Plaintiff and Defendant respectfully and jointly request that this Honorable Court modify the scheduling order to continue the trial date and extend the discovery deadlines.

Respectfully submitted,

JANE DOE

By: /s/ Devon J. Munro  
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THE RECTOR AND VISTORS OF THE  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 29, 2024, the foregoing was filed with the Clerk of Court using the CM/ECF system.

/s/ Devon J. Munro

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